

# Open Research Online

---

The Open University's repository of research publications and other research outputs

## The Impact of Back Benchers in the Creation of Social Reform: *The Indefatigable and Honourable Exertions of Mr Gilbert\**

### Journal Item

#### How to cite:

RylandEpton, Louise (2020). The Impact of Back Benchers in the Creation of Social Reform: The Indefatigable and Honourable Exertions of Mr Gilbert\*. Parliamentary History, 39(2) pp. 276–290.

For guidance on citations see [FAQs](#).

© 2020 The Author



<https://creativecommons.org/licenses/by-nc-nd/4.0/>

Version: Version of Record

Link(s) to article on publisher's website:

<http://dx.doi.org/doi:10.1111/1750-0206.12498>

---

Copyright and Moral Rights for the articles on this site are retained by the individual authors and/or other copyright owners. For more information on Open Research Online's data [policy](#) on reuse of materials please consult the policies page.

---

[oro.open.ac.uk](http://oro.open.ac.uk)



# The Impact of Back Benchers in the Creation of Social Reform: *The Indefatigable and Honourable Exertions of Mr Gilbert*<sup>\*</sup>

LOUISE RYLAND-EPTON

*The Open University*

During the 18th century, back-bench members of parliament played a critical role in creating social policy. This article provides a case study of the political campaigns of the Lichfield MP, Thomas Gilbert, and his attempts at a comprehensive reform of the poor law in 1765 and 1782. These individual endeavours were energetic, sophisticated, but unallied to a particular agenda or based on Gilbert's original perspectives. Instead, he harnessed the power of local interests and extra-parliamentary forces, particularly magistrates, through the adept use of print culture in his later campaign to form social policy based on a broad political consensus. A skilled political operator, he used these same methods to help navigate his bills through parliament. To better fit the context, the campaigns were moulded around political expediency and influenced by the development of Gilbert's humanitarian reputation and the burgeoning of the press, parliamentary reporting, and political debate. The political environments of 1765 and 1782 were, therefore, different, and broader trends influenced the two campaigns. This article demonstrates the importance of the press to political campaigning and suggests that to be successful (in social policy at least) a would-be reformer was required to engage with a developing participatory political culture. However, given Gilbert's approach, the importance of ideology as a basis for social reform in an 18th-century context is questioned.

**Keywords:** back-bench MP; poor law; print culture; social reform; Thomas Gilbert

## 1. Introduction

Thomas Gilbert is given only a few lines in the literature of the old poor law, but for three decades in the late 18th century, his name was synonymous in parliament and in broader political circles with attempts to reform welfare. Described as 'outwardly a man of principle but with an undercurrent of enlightened self-interest in the background', within months of being elected to parliament, in 1763, he had embarked on the hugely ambitious project of an attempted overhaul of the entire welfare system.<sup>1</sup>

<sup>\*</sup>Robert Saunders, *Observations on the Present State and Influence of the Poor Laws* (1799), 57.

<sup>1</sup>J.R. Wordie, *Estate Management in Eighteenth-Century England* (1982), 258. For an overview of his career, see John Brooke, 'Thomas Gilbert', in *The History of Parliament: The House of Commons, 1754–1790*, ed. Sir Lewis Namier and John Brooke (3 vols, 1964) [hereafter cited as HPC, 1754–90], ii, 499–501.

Historiographical perspectives on the political arena in which Gilbert operated have changed markedly since the 1960s. In the last 30 years, scholarly opinion on the 18th-century state has emphasized that at a central level, a sophisticated structure developed around Britain's fiscal and military needs.<sup>2</sup> There has also been auxiliary stress on local structures which accumulated powers at the local level over the same period.<sup>3</sup> This was possible only through the legislative sanction and broader approbation provided by parliament. After the political settlement of 1689, parliament met annually and for longer sessions. Consequently, it was able to enact a much higher level of legislative activity than had been previously possible. It would be wrong to interpret this as a growth in the scope or remit of the state per se. The majority of legislation was personal or local, and individual members, such as Gilbert, initiated much of it.<sup>4</sup> Such 'public' legislation as was passed was not necessarily the result of legislative agendas produced by ministers unless inspired by military or fiscal need. Peter Thomas has observed that: 'opposition and independent members could introduce and often carry public legislation of national importance'.<sup>5</sup> The situation is complicated and requires qualification. The country may have possessed fiscal and taxation structures of unique size and efficiency, but according to some readings it was reluctant 'to bring other areas into the framework of systematic state policy'. While legislation burgeoned in some areas, some have claimed: 'any attempt by government to implement a systematic domestic policy remained anathema'.<sup>6</sup> However, according to Joanna Innes, between 1690 and 1790, about 1,000 social policy bills were introduced to parliament of which around 500 passed into law.<sup>7</sup> It is pertinent to observe that as the government withdrew from social policy, parliament became the focus of activity primarily through individual back benchers.<sup>8</sup> Until the 1990s, knowledge of this burgeoning legislative activism and social policy context was limited, possibly due to the historiographical concerns carried from earlier generations.<sup>9</sup> However, within the historiography, the emphasis continues to be on broad themes or movements, ignoring the unique perspective that a more focused study can provide.

<sup>2</sup>See John Brewer, *The Sinews of Power: War, Money and the English State* (1989). This historiography is discussed by Simon Devereaux, 'The Historiography of the English State during "the Long Eighteenth Century": Part II – Fiscal Military and Nationalist Perspectives', *History Compass*, viii (2010), 843–65.

<sup>3</sup>This perspective owes much to the work of David Eastwood: *Governing Rural England: Tradition and Transformation in Local Government 1780–1840* (Oxford, 1994); *Government and Community in the English Provinces 1700–1870* (Basingstoke, 1997). See Simon Devereaux, 'The Historiography of the English State during "the Long Eighteenth Century": Part I – Decentralized Perspectives', *History Compass*, vii (2009), 742–64.

<sup>4</sup>See Julian Hoppit, 'Patterns of Parliamentary Legislation, 1660–1800', *HJ*, xxxix (1996), 109–31.

<sup>5</sup>P.D.G. Thomas, *The House of Commons in the Eighteenth Century* (Oxford, 1971), 45.

<sup>6</sup>John Brewer and Eckhart Hellmuth, 'Rethinking Leviathan', in *Rethinking Leviathan: The Eighteenth-Century State in Britain and Germany*, ed. John Brewer and Eckhart Hellmuth (Oxford, 1999), 16.

<sup>7</sup>Joanna Innes classifies these as 'all measures relating to civil or criminal law, or civil administration', and excludes 'private and local measures, all fiscal, military and naval measures; all constitutional and religious reforms; all forms of economic regulatory regulation': Joanna Innes, 'Parliament and the Shaping of Eighteenth-Century English Social Policy', *TRHistS*, xl (1990), 69; see also Hoppit, 'Patterns of Parliamentary Legislation'.

<sup>8</sup>This has been well examined in the work of Joanna Innes: 'Parliament and the Shaping of Policy'; 'Legislating for the Three Kingdoms: How the Westminster Parliament Legislated for England, Scotland and Ireland, 1707–1830', in *Parliaments, Nations and Identities in Britain and Ireland, 1660–1850*, ed. Julian Hoppit (Manchester, 2003), 15–47; *Inferior Politics: Social Problems and Social Policies in Eighteenth-Century Britain* (Oxford, 2009).

<sup>9</sup>Innes, 'Parliament and the Shaping of Policy', 64–5.

In his social reform endeavours, Thomas Gilbert did not represent a particular group or patron. The impetus, planning, and execution of the two parliamentary campaigns examined here in detail, in 1764–5 and 1781–2, came from him. One ended in failure; the other was a success. These campaigns show how its sponsor dealt with changing political and societal contexts, particularly within print culture and with his own burgeoning experience and reputation. By reflecting on the actions of an individual, it is possible to explore fully the interaction between the local and national contexts and how this was driven and affected by print culture. The treatment offers an illustrative example of the complicated and lengthy process by which social reform found its way onto the statute books, and how it was feasible for this to be initiated and networked through one person.

## 2. *Better Relief and Employment of the Poor Bill 1765*

Thomas Gilbert was already a trained lawyer, successful businessman and land agent when he was returned for the earl of Gower's parliamentary borough of Newcastle-under-Lyme in 1763. Now in his forties, his new parliamentary career strengthened his connection with the Gower family interest and offered further opportunities to help both his own and Gower's business concerns. Typically, he invested in initiatives alongside Gower and then took on an active role in developing the business, often facilitating the prerequisite parliamentary legislation, for example on the Trent and Mersey Canal.<sup>10</sup> Through his association with canals and turnpikes, both within and outside parliament, Gilbert can be identified as a catalyst to early industrialisation, although within historiography he is generally identified in the realms of welfare reform. In the context of estate management, for example, there is no evidence of a 'humanitarian' predisposition; rather he was driven by 'a new commercial attitude', his 'Gilbertian management' style 'ensuring that the landlord received his due, using the law if necessary to see that his full rights were exercised and sparing little time for laxity or sentimentality'.<sup>11</sup> In later years, he did not draw upon his own experience in poor law administration in his political pamphlets.<sup>12</sup> This lack of 'direct' knowledge placed him at odds with contemporaries, such as John Howard, who drew on significant insight on social problems before they sought legislative solutions to them. It is likely that his interest in the poor law and its reform developed entirely within a political context. Gilbert thus entered the Commons in November 1763 with no sign of 'the real benevolence of his heart', which later commentators noted with respect to his poor law endeavours.<sup>13</sup> He was, however, both motivated and ambitious.

Once in the House, Gilbert embraced the full rigour of political life. By early 1764, the new MP had sat on two committees looking at localised poor law issues at St Sepulchre's, London and in Gloucester.<sup>14</sup> This was not surprising as lawyers and magistrates often dominated parliamentary debates on social policy.<sup>15</sup> However, this issue was only one of several

<sup>10</sup>See Peter Lead, *Agents of Revolution: John and Thomas Gilbert – Entrepreneurs* (Keele, 1989).

<sup>11</sup>Wordie, *Estate Management*, 48, 52.

<sup>12</sup>As observed by Samantha Shave, *Pauper Policies: Poor Law Practice in England, 1780–1850* (Manchester, 2017), 56.

<sup>13</sup>George Chalmers, *Parliamentary Portraits; or, Characters of the British Senate. Vol. 1* (1795), 168.

<sup>14</sup>CJ, xxix, 707–8, 738.

<sup>15</sup>Innes, 'Parliament and the Shaping of Policy', 85.

social, religious, and economic subjects which demanded his time, and Gilbert's participation in these poor law endeavours was limited.<sup>16</sup> Despite having a politically prominent patron, he was reluctant to become embroiled in 'political' questions.<sup>17</sup> Instead, he concerned himself with the issues (mentioned above) which tended to be treated in a non-partisan way by parliament despite the important impact they could have on the country.<sup>18</sup> His background was not uncommon for a back bencher. As a member of the legal profession, he was part of a sizeable minority returned at elections over the late 18th century. His business experience would also no longer have set him apart. As Paul Langford has observed, these were changing times, and consequently 'authentic country gentlemen who depended almost entirely on their estates for a living were in a minority in the House of Commons as a whole, and an increasingly small one as the century advanced'.<sup>19</sup> Gilbert was not, therefore, controversial, noteworthy, or unusual at this time. However, he was, according to Innes, 'able and industrious', and part of a 'subset of MPs; a corps of active backbenchers ... [who] played a prominent part, both in promoting and in committee vetting of Local Acts, and in the same roles in relation to general measures bearing on domestic government'.<sup>20</sup>

The catalyst for Gilbert's first incursion into poor law reform was probably the publication of Richard Burn's *History of the Poor Laws* in the spring of 1764.<sup>21</sup> Burn not only presented a history of the poor law but an exposé of schemes to reform them, including Samuel Cooper's plan of 1763, which extolled the benefits of incorporating subdivisions of counties known as hundreds, and the creation of workhouses on the model used extensively in Suffolk.<sup>22</sup> As a legal writer, Burn had a renowned reputation after the publication of *Justice of the Peace and Parish Officer* in 1755.<sup>23</sup> Burn stated that his 'principal design' in his latest book was 'to excite attention'.<sup>24</sup> He observed: 'something in the poor laws is wrong; which the wisdom of Parliament for ages hath not been able to set right'.<sup>25</sup> During the 1760s, political pamphlets provided the main medium for discourse on social policy, but the output of titles had yet to reach their 18th-century zenith. The text was at once a parliamentary call to arms for a generalized reform and a repository of essential information on how to execute it.

<sup>16</sup>E.g., when the Gloucester committee reported back to parliament, Gilbert was not among those asked to pen a new bill: *CJ*, xxix, 851. There were a number of select committees formed on the subject of poor law administration in various localities, in which he did not participate: e.g., *CJ*, xxix, 792–3, 818.

<sup>17</sup>*HPC*, 1754–90, ii, 499–501.

<sup>18</sup>Thomas, *House of Commons*, 126; Innes, 'Parliament and the Shaping of Policy', 85.

<sup>19</sup>Paul Langford, *Public Life and the Propertied Englishman, 1689–1798* (Oxford, 1991), 294.

<sup>20</sup>Joanna Innes, 'Gilbert, Thomas', *The Biographical Dictionary of British Economists*, available at <http://www.oxfordreference.com/view/10.1093/acref/9780199754717.001.0001/acref-9780199754717-e-212> (accessed 29 Sept. 2017); Innes, *Inferior Politics*, 101.

<sup>21</sup>The tract was published in March 1764: Richard Burn, *History of the Poor Law: With Observations* (1764). Newspaper advertising included *Ipswich Journal*, 7 Jan., 7 Apr. 1764; *Derby Mercury*, 23 Mar., 6 Apr. 1764; *Newcastle Chronicle*, 21 Apr. 1764; *Scotsman Magazine*, 1 Apr. 1764.

<sup>22</sup>Burn, *Poor Law*, 200–1.

<sup>23</sup>Richard Burn, *Justice of the Peace and Parish Officer* (1755).

<sup>24</sup>Burn, *Poor Law*, preface.

<sup>25</sup>Gilbert later referred to his correspondence with Burn. It is possible that this started as far back as the 1760s. Burn, *Poor Law*, 134; Thomas Gilbert, *Considerations on the Bills for the Better Relief and Employment of the Poor Intended to be Offered to Parliament this Session* (1787), 13.

In early 1764, parliament was also considering poor law matters, albeit in a local context following a plethora of petitions and bills of incorporation for various hundreds in Suffolk.<sup>26</sup> These appear to have stimulated a response from Gilbert during the recess in the form of a pamphlet, his first on any topic and the first of many on poor law reform.<sup>27</sup> The anonymous *Scheme for the Better Relief and Employment of the Poor* was an immediate homage to the seven acts entitled An Act for the Better Relief and Employment of the Poor, passed in the previous session.<sup>28</sup> The tract began in a similar pattern to that which was later employed by Gilbert: it started with a lament for the distress of the poor despite large sums spent on their welfare, and alluded to deficits in current legislation and its operation on the ground. It then suggested a universal welfare system which similarly used the incorporation of a large number of parishes to provide a central workhouse but alongside some other provisions which resembled a few in Burn's publication.<sup>29</sup> The anonymising of the pamphlet was a calculated move. Hannah Barker suggests the use of a pseudonym implied that the writer 'was not speaking for him or herself but as the representative of a wider social group'.<sup>30</sup> It made sense in this context, given Gilbert's lack of experience and the assimilation of the current trend. Anonymity also provided protection against criticism and censure from peers. Gilbert used the device until he had secured enough approbation and confidence to publish using his own name. He was not the only writer on the poor law to use this expedient.<sup>31</sup> Such circumspection was probably necessary. Gilbert's previous involvement in the creation of legislation had been primarily made up of local acts concerning canals, and despite the immense economic impact of these, the jump to planning a national welfare system so quickly after entering parliament, was highly ambitious. It is suggestive that during his first session, he settled upon poor law reform as the basis for his future parliamentary career.

Gilbert wrote to high sheriffs in summer 1764, enclosing his pamphlet and asking for the plan to be inspected and 'if found worthy' communicated to local gentlemen.<sup>32</sup> He appealed to them to begin the groundwork for the establishment of the new scheme. He did not assert its originality but rather admitted several parts of it '[had] been collected from the labours of those gentlemen who have employed their thoughts and pens upon this subject'.<sup>33</sup> His associates in the Commons also identified his clear plagiarism. Thomas Carew noted at the

<sup>26</sup> 4 Geo. III, c. 56, 57, 58, 59, 89, 91, 97.

<sup>27</sup> By Dec. 1764, there is some evidence that Gilbert had additionally written a pamphlet on plans for a Trent and Mersey canal. This pamphlet, if it existed, has not survived: Lead, *Agents of Revolution*, 72.

<sup>28</sup> *A Scheme for the Better Relief and Employment of the Poor* (1764). This has been attributed to Thomas Gilbert: Henry Higgs, *Bibliography of Economics, 1751–1775* (Cambridge, 1935), 328, 353; Innes, *Inferior Politics*, 99; Paul Slack, *The English Poor Law, 1531–1782* (Basingstoke, 1990), 39; Shave, *Pauper Policies*, 57 n. 5. The acts referred to are 4 Geo. III, c. 56, 57, 59, 89, 90, 91, 97. See Sir Frederick Eden, *The State of the Poor: A History of the Labouring Classes in England* (3 vols, 1797), iii, p. ccix.

<sup>29</sup> Such as Henry Fielding, Richard Lloyd, and the earl of Hillsborough.

<sup>30</sup> Hannah Barker and Simon Burrows, *Press, Politics and the Public Sphere in Europe and North America, 1760–1820* (Cambridge, 2002), 94.

<sup>31</sup> Henry Zouch published one version of a pamphlet anonymously in 1775, when it was well received. An updated version appeared under his own name a year later. *Remarks upon the Resolutions of the House of Commons with Respect to the Poor, Vagrants, and Houses of Correction: By a Justice of the Peace* (1775); Henry Zouch, *Remarks upon the Late Resolutions of the House of Commons Respecting the Proposed Change of the Poor Law* (Leeds, 1776).

<sup>32</sup> Gilbert's letter to high sheriffs was published in full by C.D. Brerton, *An Inquiry into the Workhouse System and the Law of Maintenance in Agricultural Districts* (Norwich, 1826), 43–4.

<sup>33</sup> *A Scheme for the Better Relief and Employment of the Poor* (1764), preface.

next session he would not show Gilbert a particular tract as he 'apprehended Mr Gilbert has seen it as the plan of the hospital is exactly the same'.<sup>34</sup> Assimilation of the ideas of others made up for the paucity of his own. However, he did not acquire wholesale the ideas of one model. Instead, he offered a hybrid version which exhibited some deft identification of popular tropes, including the incorporation of groups of parishes and diminishing the role of overseers. He was quick to adapt his plan in light of political realities and feedback. As far as possible, he felt it was important that it represented a consensus. Thus when Gilbert produced a new edition the following year, it had been moderated. Given that 'it was a work attended with so much difficulty ... upon mature consideration, [it was] thought proper to make gradual advances'. Most significantly, the plan was no longer compulsory, and repeal of the poor laws was not mooted.<sup>35</sup>

Early in the new session, parliament ordered a committee to look into the operation of the poor laws.<sup>36</sup> Although it was privately identified as a precursor to a reform sponsored by Gilbert, he was not specifically named to the committee.<sup>37</sup> However, as MPs who were members of the legal profession were asked to attend, his presence, by implication, was requested.<sup>38</sup> Despite its broad remit, the committee reported after only two days with recommendations largely identical to those of Gilbert's pamphlet.<sup>39</sup> Use of lawyers and magistrates with direct experience of the poor law and local government, particularly its eminent chair, William Blackstone, ensured any debate within the committee was well informed even if Gilbert defined its agenda. MPs with experience sponsoring the Suffolk incorporation acts were also present, including Lord Orwell, the one MP examined by the Lords on Gilbert's bill.<sup>40</sup> Any resulting bill could have, therefore, been expected to be well conceived. The process undoubtedly gave the measure more authority than a bill that Gilbert could have devised on his own. The newspapers covered events only casually, reflecting the substantial restriction on parliamentary reporting which persisted in the 1760s. 'We are informed', began reports in a number of provincial newspapers, 'that a scheme is on foot to take the Government of the Poor out of the Parish Officers Hands'.<sup>41</sup> The London press likewise carried oblique accounts, but clearly, there was some anticipation of a possible overhaul of the poor law.<sup>42</sup> However, beyond his own correspondence and political circles, Gilbert's name was not associated with this reform attempt. Indeed, later

<sup>34</sup>Somerset Heritage Centre, DD/TB/17/5: Carew to Sir Charles Kemeys Tynte, 21 Jan. 1765. It is likely that Carew was referring to the plans of the earl of Hillsborough, published in 1753. Hillsborough was also discussed by Burn, *Poor Law*, 192–5.

<sup>35</sup>*A Scheme for the Better Relief and Employment of the Poor* (1765), preface.

<sup>36</sup>The only recording of this in the *Journals* is the order to create the committee: *CJ*, xxx, 30. The use of a committee as a precursor to a general poor law bill was not new: Timothy Hitchcock, 'The English Workhouse: A Study in Institutional Poor Relief in Selected Counties, 1696–1750', University of Oxford DPhil, 1985, pp. 36–9.

<sup>37</sup>Somerset Heritage Centre, DD/TB/17/5: Thomas Carew to Sir Charles Kemeys Tynte, 21 Jan. 1765. In 1787, Gilbert identified the parliamentary campaign as wholly his own. It was helpful later to emphasize the longevity of his association with poor law reform: Gilbert, *Considerations*, 3–4.

<sup>38</sup>*CJ*, xxx, 30.

<sup>39</sup>*CJ*, xxx, 38.

<sup>40</sup>*LJ*, xxx, 113.

<sup>41</sup>E.g., *Derby Mercury*, 25 Jan. 1765; *Bath Chronicle & Weekly Gazette*, 31 Jan. 1765; *Newcastle Chronicle*, 2 Feb. 1765.

<sup>42</sup>*St James's Chronicle or the British Evening Post*, 7–9 Feb. 1765; *Public Advertiser*, 11 Feb. 1765.



press reports seemed to suggest that it was a government measure.<sup>43</sup> In the 1780s, with a more established reputation and his proficient use of print culture, together with the proliferation of pamphlets as a genre of social agitation, the growing reach of the provincial press and increasingly sophisticated political reporting, the connection between Gilbert and the reform was unequivocal.

However, given the realities of politics in the 1760s, Gilbert's management of the political campaign was still adroit. Achieving legislative success was beset with problems. One in three social policy bills failed, and those that succeeded often had a limited remit; confined to a particular geographic area or voluntary and built on local experience.<sup>44</sup> Gilbert's 'Better Relief and Employment Bill' of 1765 was neither of these things. Social policies attempting a reform of the poor laws were also 'probably the most ambitious measures'.<sup>45</sup> This was among the most radical as it attempted to introduce a uniform system with new units of local government and government officers. Despite trying to make use, to best effect, of co-operation between parliamentary colleagues and pre-existing practice, this was a whole-country plan, and there was no getting around its potential impact. The correspondence of the former prime minister, the duke of Newcastle, substantiates this. Newcastle wrote to the archbishop of Canterbury on 31 March 1765: 'It seems to me a great alteration of our constitution. I don't like the erecting new corporations and new jurisdictions.' His concern was so pronounced that he predicted: 'if I know anything of country affairs and the disposition of gentlemen and considerable farmers in the counties, I think this Bill will set all the counties in England in a flame.'<sup>46</sup>

One thing in Gilbert's favour was that social policy was not generally treated as a party political issue. It was unlikely to be problematic for his patron, Gower. As a supporter of the duke of Bedford, Gower dictated Gilbert's backing for the ministry of George Grenville. Irrespective of the bill's content, this fact ultimately placed its success in jeopardy when it moved to the Lords. Grenville no longer had the confidence of the king, and was losing control at Westminster. Despite the backing of the prime minister and Bedford, who both tried to secure its support in the Lords, the debate accompanying the bill descended into 'a pitched battle' of warring factions.<sup>47</sup> On its first reading, Lord Egmont 'set fire to it' in a speech.<sup>48</sup> Even before the committee stage in the Lords, the regional press was predicting the bill's failure.<sup>49</sup> To bolster a subsequent campaign, Gilbert later commented that it had been unsuccessful because of 'some circumstances unconnected to its merits'.<sup>50</sup> He also

<sup>43</sup>One correspondent to the *Public Advertiser* praised government ministers for their 'uncommon dispatch of most weighty and momentous concerns', including the introduction of Gilbert's bill: 22 Mar. 1765.

<sup>44</sup>Hoppit, 'Patterns of Parliamentary Legislation', 120–1; Slack, *Poor Law*, 40.

<sup>45</sup>Innes, 'Parliament and the Shaping of Policy', 70.

<sup>46</sup>BL, Add. MS 32966, f. 131.

<sup>47</sup>M.W. McCahill, 'The House of Lords in the 1760s', in *A Pillar of the Constitution: The House of Lords in British Politics, 1640–1784*, ed. Clyde Jones (1989), 173; *Additional Grenville Papers, 1763–1765*, ed. J.R.G. Tomlinson (Manchester, 1962), 252–3; *The Letters of Horace Walpole, Earl of Orford* (6 vols, 1840), v, 16.

<sup>48</sup>*Letters of Horace Walpole*, v, 16.

<sup>49</sup>The bill received its second reading in the Lords on 28 Mar. 1765 and was not committed until April. On 25 Mar. 1765, the *Salisbury and Winchester Journal* forecast that it 'will not pass into law, this session'; see also *Bath Chronicle and Weekly Gazette*, 28 Mar. 1765; *Newcastle Chronicle*, 30 Mar. 1765.

<sup>50</sup>Gilbert, *Considerations*, 4; also quoted by Eden, *State of the Poor*, i, 362.



manipulated the division figures, probably for the same reason.<sup>51</sup> The bill was lost not because of what it said per se, although many found it objectionable; rather, lords 'voted against the proposals as a means of expressing their distaste for the incumbent ministers and their loyalty to the King'.<sup>52</sup> During March 1765, King George had decided to rid himself of Grenville, and the resulting political mêlée sank the bill. The campaign demonstrated that even if a bill had significant support, parliamentary conditions also needed to be right. Later, Gilbert was more sensitive to this nuance and more effectively mitigated its effects by using statistical evidence to support his case, and more effectively garnered backing outside parliament, primarily from magistrates, to add momentum to his campaign inside the House. In this endeavour, he was supported by the proliferation of the press and the broader development of print culture.

### 3. Gilbert's Act, 1782

Gilbert began a new campaign in May 1781. By now the political environment had changed significantly. Publishing was booming, fuelled in part by the growing interest in, and appetite for, political debate.<sup>53</sup> Parliament also took a more relaxed view of publication of its activities.<sup>54</sup> The coverage of Gilbert's opening speech on 22 May reported in the influential *Parliamentary Register* ran into several pages.<sup>55</sup> It was widely recounted in newspapers, both in London and the provinces, helping to ensure that a general understanding of the bill spread, with Gilbert's name unequivocally attached.<sup>56</sup>

This new plan was markedly different. After raising the prospect of a welfare bill in the mid 1770s based on a slightly revised model of the scheme of 1765, Gilbert had published a pamphlet under his own name.<sup>57</sup> Several pamphlets then appeared censuring it.<sup>58</sup> Gilbert

<sup>51</sup> Gilbert stated that it failed on a division of 59 to 66. Researchers have tended to take these figures at face value, but on 22 Apr. 1765, it actually failed on a motion which passed 49 to 26. The majority was thus much clearer than Gilbert had asserted, and the Lords a good deal quieter, unsurprising since voting took place after the Easter recess. While the division was not recorded in the *Lords Journal*, it was reported in the press: *Scots Magazine*, xxviii (1766), 428; *London Magazine*, xxxv (1766), 395; see also Gilbert, *Considerations*, 4. Gilbert's figures have been widely included in Sidney and Beatrice Webb, *English Local Government: English Poor Law History: Part 1* (1927), 170; Cosma Orsi, 'The Political Economy of Inclusion: The Rise and Fall of the Workhouse System', *Journal of Economic Thought*, xxxix (2017), 13; Shave, *Pauper Policies*, 57. Eden also quoted the figures attributing them to Gilbert himself: Eden, *State of the Poor*, i, 362.

<sup>52</sup> McCahill, 'House of Lords in the 1760s', 167. For Grenville's fall see also *Cobbett's Parliamentary History of England* (36 vols, 1806–20), xvi, 78–82.

<sup>53</sup> The number of titles published on politics and law increased by 64% between 1781 and 1793: Matthew Bell, 'The Economics of Authorship in Eighteenth-Century Germany and Britain', *Publications of the English Goethe Society*, lxxxvi (2017), 182; James Raven, 'The Book Trades', in *Books and Their Readers in Eighteenth-Century England: New Essays*, ed. Isabel Rivers (2003), 1–34.

<sup>54</sup> Thomas, *House of Commons*, 146–7.

<sup>55</sup> *Parliamentary Register* (ser. 2, 45 vols, 1781–96), iii, 372–5; *CJ*, xxxviii, 482.

<sup>56</sup> E.g., *Kentish Gazette*, 26 May 1781; *Hampshire Chronicle*, 28 May 1781; *Leeds Intelligencer*, 29 May 1781; *Hibernian Journal* (Dublin), 30 May 1781; *Bristol & Bath Chronicle*, 31 May 1781. London coverage included *Morning Chronicle and London Advertiser*, 23 May 1781, who judiciously followed the campaign with further reports on 1, 2 June and 15 Dec. 1781.

<sup>57</sup> Thomas Gilbert, *Observations of the Rules and Orders of the House of Commons with Respect to the Poor, Vagrants and Houses of Correction* (1775).

<sup>58</sup> These included *Thoughts on the Present State of the Poor, and the Intended Bill for Their Better Relief and Employment: By a Kentishman* (1776); Edward Jones, *Observations on the Scheme before Parliament for the Maintenance of the*

countered by insisting that his plan was 'generally approved of' but the campaign was subsequently dropped, probably as the likelihood of legislative success was too slim.<sup>59</sup> Gilbert listened to his critics and adapted his plan markedly for the 1781–2 campaign. The new plan was, again, based upon the recurring themes in the current literature and reflected a more ambivalent attitude towards the use of workhouses, as reflected by, among others, Burn and Blackstone. Instead of requiring large and expensive buildings, workhouses would be more modest, restricted to the aged, infirm and impotent. Instead of administrative units based on counties, hundreds or districts, Gilbert suggested that 'several parishes' could join to offer better economy.<sup>60</sup> The bill was not presented as a radical departure or innovation; rather as an improvement which would not add to the taxation burden.

This subtle distinction made the scheme immediately less sensational, which was especially important as the American war, now into its sixth year, required high tax revenues. The parliamentary appetite for sweeping welfare reform is likely to have been adversely affected by the maelstrom of war. More social reform bills passed in years of peace than in wartime.<sup>61</sup> The context was challenging, but Gilbert had invested so much time and money in the issue that despite the interminable war, now aged over 60 years, he may have felt that time was running out.<sup>62</sup> Lord North's administration was increasingly precarious. Gower had already resigned from the cabinet, and perhaps it was no coincidence that the realigning of the economics of Gilbert's welfare reform sat well with the new 'economical reform' agenda of the opposition under the marquis of Rockingham. Gilbert even tried to claim credit for the economical reform movement in a parliamentary debate, which was vehemently denied by its chief exponent, Edmund Burke.<sup>63</sup>

From the outset, Gilbert built his bill on the widest consensus within the political classes, drawing heavily on magistrates like Burn, who would administer the resultant act on the ground. Gilbert had no intention of pushing it through quickly; instead, its proposal was an opening gambit that 'the House might form their minds upon it previous to their next meeting'. On this basis, the bill went through two readings and the committee stage.<sup>64</sup> This allowed the plan to be considered and amended before being presented to the country.<sup>65</sup> Gilbert no longer needed to introduce a bill under the auspices of a committee. The gap between legislative attempts had provided enough opportunity for his own investigation and reflection. Gilbert observed that he had undertaken the 'arduous task' to investigate the

<sup>58</sup> (continued) *Poor* (Chester, 1776); *Remarks upon the Resolutions of the House of Commons with Respect to the Poor*; Zouch, *Remarks*; Richard Burn, *Observations on the Bill Intended to be Offered to Parliament for the Better Relief and Employment of the Poor* (1776).

<sup>59</sup> As reported in *Stamford Mercury*, 22 Feb. 1776; *Bath Chronicle & Weekly Gazette*, 22 Feb. 1776; *Norfolk Chronicle*, 24 Feb. 1776.

<sup>60</sup> *Parl. Reg.*, iii, 373–4.

<sup>61</sup> Innes, *Inferior Politics*, 27 n. 14.

<sup>62</sup> In 1781 he remarked: 'I have, for many years past devoted a great share of my time, not without considerable expense, to an object, pleasing to myself ... the welfare of [the] country!': Thomas Gilbert, *Plan for the Better Relief and Employment of the Poor* (1781), 29.

<sup>63</sup> *Cobbett's Parl. Hist.*, xxi, 14, 73, 539; Carl B. Cone, *Burke and the Nature of Politics: The Age of the American Revolution* (Lexington, KY, 1957), 364.

<sup>64</sup> The bill was amended in committee and a clause about a post called 'sub-visitor' had been dropped.

<sup>65</sup> Gilbert made this clear during the initial debate in the House of Commons on 22 May 1781: *Parl. Reg.*, iii, 375.

causes, and point out the remedy of this evil [poverty]' during the period.<sup>66</sup> He published the campaign's first pamphlet, *Plan for the Better Relief and Employment of the Poor*, at the start of the summer recess, in July 1781.<sup>67</sup> It outlined his current ideas and the text of the bill he intended to introduce, noting: 'the utmost of my wishes are, that the plan and Bills may be considered, during the course of the summer ... that they may be fairly and candidly discussed'.<sup>68</sup> He invited feedback for 'correction and amendments' from members of both Houses and also from magistrates in the country. This latter group, with a deft hand, he also both praised ('they have infinite merit') and politely upbraided: 'I will not judge so unfavourably my fellow-justices as to imagine, when they see their country at the very brink of destruction, they will not lend a hand to save her.'<sup>69</sup> This observation resonated with justices of the peace because, as David Eastwood has observed: 'unambiguously, magistrates saw themselves as part of a national polity'.<sup>70</sup> This is proved by their willingness to engage with Gilbert's consultation. Poverty was often also a personal and administrative concern.<sup>71</sup>

Gilbert, as a magistrate and local representative himself, was articulating local anxieties to forge a national social policy agenda. As the scheme's author, he was able to create and adapt reform which would be acceptable in the context of parliament. While in 1765 developments in print culture had not yet reached a level to facilitate this approach fully, by 1781 Gilbert was also considerably more politically astute, especially in recognizing the value of gathering support and assistance beyond the confines of Westminster. He may have meticulously planned the campaign for the legislation which would come to bear his name, but the bill was undoubtedly the result of a collaborative effort. These methods of public consultation did not go unnoticed, and gained him plaudits. The *Monthly Review* noted: 'we consider ourselves highly pleased with the liberal conduct of Mr Gilbert, in inviting the assistance and emendations of others'.<sup>72</sup>

The campaign was enhanced by the pamphlet's new London publisher, George Wilkie, who fully supported its commercial potential. Consequently, it was extensively advertised in papers across the country.<sup>73</sup> Newspapers were of critical importance in marketing the campaign, not merely by advertising pamphlets but through parliamentary reporting and coverage of local reaction. In many respects, Gilbert's use of the media was masterly. His

<sup>66</sup> Gilbert, *Plan*, 1.

<sup>67</sup> According to *London Chronicle*, 28–30 Jun. 1781, the text had been sent to the press in June following solicitations from his friends.

<sup>68</sup> Gilbert, *Plan*, 30.

<sup>69</sup> Gilbert, *Plan*, 27–8, 30–1.

<sup>70</sup> Eastwood, *Government and Community*, 107.

<sup>71</sup> According to Peter Dunkley, this drew on humanitarian impulses and was expressed by efforts to gain greater control of the apparatus of poor relief. This may have been something that Gilbert directly tied into his plan by attempting to draw magistrates into more direct participation in the management of poor relief through the role of visitor to the poor: Peter Dunkley, *The Crisis of the Old Poor Law 1795–1834* (1982), ch. 3.

<sup>72</sup> *Monthly Review*, lxxvi (1782), 312. This was endorsed by the likes of 'M.O.C.' in *Kentish Gazette*, 24 Nov. 1781. Earlier comment also reflected approbation of Gilbert's active requests for feedback: e.g., Jones, *Observations on the Scheme*, 2.

<sup>73</sup> Advertisements appeared in *Stamford Mercury*, 19 July 1781; *Gloucester Journal*, 23 July 1781; *Bath Chronicle and Weekly Gazette*, 26 July 1781; *Hereford Journal*, 26 July 1781; *Oxford Journal*, 28 July 1781. Several were placed prior to publication, including *Northampton Mercury*, 9 July 1781; *Hereford Journal*, 12 July 1781. Advertisements were also placed in the London press: *Morning Herald and Daily Advertiser*, 23 July 1781; *St James Chronicle or the British Evening Post*, 7–9 Aug. 1781.

publisher was a brother to Thomas Wilkie, publisher of the *London Chronicle*. The *Chronicle* was the first to inform the public of Gilbert's intention to publish his plan and the first to advertise the text. It also judiciously published correspondence in support of the bill when its success looked threatened.<sup>74</sup> The pamphlet's extensive advertising and distribution facilitated its critique by the reviewing press, itself a burgeoning print medium, and pushed transmission of the campaign further.<sup>75</sup> Some magistrates were publicly supportive. One addressed his fellow JPs in a letter published by the *Kentish Gazette*.<sup>76</sup> In it he recommended the plan as deserving their 'most zealous support', suggesting that magistrates discuss it at the next quarter sessions before commending it to their MPs. The press, however, was not entirely sympathetic. The *Leeds Intelligencer* did not advertise Gilbert's pamphlet but printed polemical articles against it.<sup>77</sup> It also reported the strong objections to the plan from Yorkshire magistrates and later published disparaging, albeit factually incorrect, comment on the campaign.<sup>78</sup> Gilbert was able to counter some of the feedback by modifying his plan, and he remained aloof to the vehemence of his fiercest detractors, such as West Riding magistrate, Henry Zouch, preferring always to emphasize the approbation it received.<sup>79</sup>

Given the press response, the publication of his pamphlets and several rejoinders, Thomas Gilbert's plan was the cause of some political debate across the country in 1781–2.<sup>80</sup> Gilbert published a *Supplement* to his pamphlet in December 1781 which was available at no cost to purchasers of his original tract. The new title stressed the support he had received and the extent to which he had listened to the 'hints and observations' of 'many respectable noblemen and gentlemen' including 'many respectable magistrates in different counties'.<sup>81</sup> The plan was amended, sometimes in ways about which he was at best ambivalent. For example, despite wishing 'to guard against the introduction of salaries, thinking they may afford temptations', he added clauses respecting the allowance of salaries albeit 'in the best manner I can to render them effectual and prevent abuse'.<sup>82</sup> There were also, perhaps unsurprisingly, some changes to the role of magistrates, who now had to adjudicate matters such as whether parishes were 'large and populous'.<sup>83</sup> Gilbert underscored the revisions he had made to his first pamphlet in a clause-by-clause analysis of alterations in the *Supplement*.

<sup>74</sup> *London Chronicle*, 28–30 June, 17–19 July 1781, 8–10 Jan. 1782.

<sup>75</sup> The *Monthly Review*, e.g., elaborated: 'authors who print their works in Scotland, or at any country press, and neglect to advertise them, must not be surprised if they pass unnoticed by the reviewers': *Monthly Review*, lxviii (1783), 288.

<sup>76</sup> *Kentish Gazette*, 24 Nov. 1781.

<sup>77</sup> The *Intelligencer* advertised Henry Zouch's vehement critique and one published anonymously: 12 Feb., 12 Mar. 1782.

<sup>78</sup> *Leeds Intelligencer*, 16 Apr. 1782.

<sup>79</sup> Henry Zouch penned a total of three pamphlets of commentary on Thomas Gilbert's various plans to reform the poor laws: *Remarks upon the Late Resolutions of the House of Commons Respecting the Proposed Change of the Poor Law* (Leeds, 1776); *A Few Words in Behalf of the Poor*; and one text published anonymously, *Remarks upon the Resolutions of the House of Commons with Respect to the Poor*.

<sup>80</sup> Pamphlet reaction included *A Letter to Thomas Gilbert, Esq; MP on his Plan for the Better Relief and Employment of the Poor* (1782), the author who, given allusions in the text, may have been a magistrate in the Hull area. Others were Zouch. *Remarks*; Richard Pew, *Twenty Minutes Observations on a Better Mode of Providing for the Poor* (1783); J. M'Farlan, *Inquiries Concerning the Poor* (Edinburgh, 1782), 153–4.

<sup>81</sup> Thomas Gilbert, *Supplement to Mr. Gilbert's Plan and Bills for the Relief of the Poor* (1781).

<sup>82</sup> Gilbert, *Supplement*, 4–5.

<sup>83</sup> Gilbert, *Supplement*, 5, 17–18.

Sometimes these changes were minor. He directed in his update on page 49 in *Plan for the Better Relief and Employment of the Poor*, 'in line 17, after *Place*, leave out the word – *and*'.<sup>84</sup> Pragmatically, where there was no consensus, such as on issues concerning the settlement or removal of paupers, he simply did not address the issue. Likewise, he did not seek controversy by making the terms compulsory; rather, provisions would only be applied with local agreement. Provincial newspapers reported that: 'the Justices of the Peace in most parts of England ... are determined to request the especial attention of their representatives in Parliament to Mr Gilbert's Bills'.<sup>85</sup> By its final reading, Gilbert claimed that there was scarcely a magistrate in the country who had not seen it.<sup>86</sup>

However, the imminent loss of the American war delayed the bill's passage. Gilbert tried not to antagonise his Commons' support by remaining neutral on the subject of the war and then absented himself from parliament, only to be ordered back by his patron.<sup>87</sup> From this point on, Gilbert's efforts in defending his own reform were tenacious. He turned to the country for momentum in his parliamentary campaign, writing to county benches across England, for the second time that year, enclosing copies of his bill. News reports from Yorkshire showed that the West Riding magistrates, probably heavily influenced by Henry Zouch, did not support the plan, first because of 'the great additional expense' and what they regarded as the 'oppressive' nature of the proposal.<sup>88</sup> By contrast, the Hampshire bench wrote back with their general approbation but also warned of the costs associated with aspects of the plan as 'they groan under the heavy taxes already laid on them'.<sup>89</sup>

Gilbert then published his third pamphlet in nine months.<sup>90</sup> The pamphlet, which presented his current *Observations on the Bills* was unequivocal: the scheme was 'of the greatest national importance'.<sup>91</sup> The bill had the Commons' endorsement. Any 'errors and defects' identified by correspondents during the Easter recess in 1782 would be corrected in committee 'as soon as possible' when parliament reconvened.<sup>92</sup> Again and again, the economic benefits were underscored. 'The great objects of this Bill', Gilbert declared in the pamphlet, 'are to make better provisions for the poor, at much less expense to the parishes'.<sup>93</sup> 'Economy is the great object in every part of the Bill'.<sup>94</sup> In a move probably designed to reiterate frugality and certainly due to magisterial influence, the introduction began with a major change. Up to this point, Gilbert had vehemently condemned contracting out poor relief, known as 'farming the poor'. He now conceded that, although 'great inconveniences' had been found with the system 'under the inspection of gentlemen', it could have 'a very good

<sup>84</sup> Gilbert, *Supplement*, 12.

<sup>85</sup> E.g., *Newcastle Chronicle*, 2 Jan. 1782; *Northampton Mercury*, 14 Jan. 1782; *Leeds Intelligencer*, 1 Jan. 1782; *Cumberland Pacquet and Ware's Whitehaven Advertiser*, 8 Jan. 1782.

<sup>86</sup> As reported from the house of commons on 16 May 1782: *Leeds Intelligencer*, 21 May 1782.

<sup>87</sup> *HPC*, 1754–90, ii, 499–501.

<sup>88</sup> Henry Zouch was listed among the magistrates present at the meeting, having previously published a critique of the plan earlier in the year: *Leeds Intelligencer*, 16 Apr. 1782.

<sup>89</sup> Hampshire RO, 1M44/67, f. 58: 'B' (chairman of Hants. bench) to Thomas Gilbert, 24 Apr. 1782.

<sup>90</sup> Thomas Gilbert, *Observations on the Bills for Amending and Rendering More Effectual the Laws* (1782).

<sup>91</sup> Gilbert, *Observations*, 3.

<sup>92</sup> Gilbert, *Observations*, 3.

<sup>93</sup> Gilbert, *Observations*, 5.

<sup>94</sup> Gilbert, *Observations*, 6.

effect'. He thus suggested under scrutiny that this could continue under his bill.<sup>95</sup> Indicative of the plan's continuing revision, one major amendment contained in the last pamphlet, stipulating that voting rights were to be reserved for those with rateable property values over £20, was amended in these *Observations* to property valued over £5.<sup>96</sup> Again, Gilbert's new pamphlet precipitated meetings and consideration by magistrates in various parts of the country.<sup>97</sup> Again, it was extensively advertised.<sup>98</sup>

Days later, North fell from power, bringing in a new administration under Rockingham. The bill went to committee, and Gilbert became anxious, adding more and more amendments, possibly with a view to shoring up support by addressing the minutiae of feedback he had received. Finally, with time running out before the end of the session, he begged the Speaker to allow a break in protocol to allow him to add yet another change without going back to committee and wasting more time.<sup>99</sup> This was granted and the bill scraped through, passing to the Lords where an anonymous pamphlet was circulated predicting 'the ruin of the land' should it be passed. The pro-Gilbert *London Chronicle* accused the author of the tract as being 'prejudiced' and 'ignorant' of the text.<sup>100</sup> In a final twist, Rockingham died suddenly and, with attention drawn elsewhere, the bill made its way into law just as the session closed.

Gilbert's welfare reform gained royal assent on 10 July 1782. By 1 August, Gilbert was appointed to implement a key part of the new prime minister, Shelburne's, economical reform agenda.<sup>101</sup> He probably had the necessary ability to execute Shelburne's plan.<sup>102</sup> However, the campaign for Gilbert's social reform had raised his profile, and this had reached its climax during Shelburne's tenure as home secretary. His welfare reform amplified his economical reform credentials, and his ideas on the inadequacies of the poor law system also seemed to resonate with Shelburne's own.<sup>103</sup> Had the new ministry continued beyond eight months, Gilbert would have been rewarded with a new office of 'Superintendent of the Household and Paymaster of the Civil List', for which he had the support of both

<sup>95</sup> Gilbert, *Observations*, 6.

<sup>96</sup> Gilbert, *Observations*, 6; Gilbert, *Supplement*, 11.

<sup>97</sup> As reported by *Cumberland Pacquet, and Ware's Whitehaven Advertiser*, 2 Apr. 1782; *Leeds Intelligencer*, 2 Apr. 1782.

<sup>98</sup> E.g., *Derby Mercury*, 21 Mar. 1782; *Ipswich Journal*, 30 Mar. 1782; *Oxford Journal*, 30 Mar. 1782; *Northampton Mercury*, 1 Apr. 1782; *Stamford Mercury*, 4 Apr. 1782; *Norfolk Chronicle*, 6 Apr. 1782; *Manchester Mercury*, 16 Apr. 1782.

<sup>99</sup> On 16 May, Gilbert tried to add further amendments after the bill's second recommitment and before a third reading. Accounts of Gilbert pleading with the Speaker were reported in the press: *CJ*, xxxviii, 1009–10; *Parl. Reg.*, vii, 165; *Leeds Intelligencer*, 21 May 1782; *Caledonian Mercury*, 20 May 1782.

<sup>100</sup> *London Chronicle*, 8–11 Jun. 1782. An archived copy survives with a letter which condemns the bill as 'oppressive and fruitful of bad consequences tending to subvert part (or at least the economical part) of our constitution'. The critique, written in the third person, imagines that Gilbert never 'intended the ruin of the land, or the landed interest but rather to favour another interest' however the plan would lead 'to those fatal and inevitable consequences': Somerset Heritage Centre, DD/DN/524: 'Animadversions on the Poor Bill', 1782.

<sup>101</sup> John Norris, *Shelburne and Reform* (1963), 179–85.

<sup>102</sup> John Norris has suggested that, while Gilbert had relevant experience, Shelburne was also seeking to gain Gower's support for his ministry. However, as Shelburne failed to secure Gower's support but continued to assist Gilbert's progression, it is likely that Gilbert secured this on merit: Norris, *Shelburne and Reform*, 179.

<sup>103</sup> Shelburne wrote: 'The agricultural poor are dying through want, the prey of every disorder which results from poverty, filth, cold and hunger, with laws intended for their relief, but so ill adapted to the present state of things and so shamefully executed': Lord Fitzmaurice, *Life of William, Earl of Shelburne* ... (3 vols, 1875–6), ii, 353.

Shelburne and the treasury.<sup>104</sup> However, despite losing out, his value was now confirmed, and, in 1784, he was awarded the lucrative and important post of chairman of ways and means. The success of the act itself is much more ambiguous. Its enactment seemed to pass without notice in the press, probably deflected by the tumult of broader political events. At the end of his last pamphlet, Gilbert had written: 'This Bill is likely to be well received; and as it will be adopted in many parishes, it is not doubted but it will soon become very general when the good effects of it shall be known by experience.'<sup>105</sup> He had no reason to believe, given the careful way the act was crafted with the complicity of magistrates, that when it went back to them, his endeavour would not be rewarded by popularity in the country.

#### 4. Conclusion

The story of Gilbert's reform bills illuminates what has in the past been described as the 'profoundly obscure' way a general piece of social policy could find its way to the statute book.<sup>106</sup> It portrays the close relationship between national and local interests in the workings of the late-18th-century state and how this was affected and shaped by developments in print culture in the period 1765–82. During the two parliamentary sessions 1780–1 and 1781–2, a back-bench MP, Thomas Gilbert, turned to local interests, most often magistrates, when his parliamentary campaign to make poor law reform was at risk or needed momentum. He also used their knowledge and experience to try to make sure the legislation was practical and had the support of those who would manage it at local government level. This communication, achieved through direct correspondence and political pamphlets, was greatly enhanced through the use of print. In these respects, Gilbert executed a highly-proficient campaign.

The narrative confirms the importance of local interests and back benchers, as distinct from central government, in initiating social policy. None the less, it shows that the progress of Gilbert's poor law legislation in 1782, as well as in 1765, was influenced by what was going on in the immediate political background. In 1782, a more experienced and shrewd Thomas Gilbert was better equipped to navigate the turbulent political environment, and his attempts to ingratiate himself with the new regime undoubtedly benefitted the outcome.

The strength of Gilbert's plans did not lie in their originality but in the fact that they were sympathetic to the political realities and principal actors of the time. They were not informed by a particular ideology. Instead, Gilbert was able to embrace the broadest possible range of opinion and social prejudice. The provisions of the legislation were the result of a collaborative effort. Commentators were well aware that Gilbert was appealing to 'the collective wisdom of the Nation ... to devise some plan effectually to "pierce the

<sup>104</sup>Norris, *Shelburne and Reform*, 184–5; see also Horace Walpole, *Journal of the Reign of King George the Third from the Year 1771 to 1783*, ed. John Doran (2 vols, 1859), ii, 595–6.

<sup>105</sup>Gilbert, *Observations* (1782), 13.

<sup>106</sup>Innes, 'Parliament and the Shaping of Policy', 64. In describing the enactment of the Workhouse Test Act of 1723, Timothy Hitchcock writes: 'unfortunately, there is very little evidence about the process which led to its passage through Parliament ... no clear picture of what led to the passage of the Act can be developed': Hitchcock, 'English Workhouse', 124.



root of the evil”<sup>107</sup> Gilbert's Act, as it became known, has been criticized by poor-law historians for not going far enough, but this implies that a more radical bill could have been successful at this juncture, something which Gilbert's own parliamentary experience suggests was extremely doubtful. By making this act voluntary and focusing on particular elements, he was, instead, receptive to the prevailing mood, just as he had nearly proved with a different plan in 1765. Burn astutely attributed the failure of many welfare reforms during the century to the fact that they tried 'too much at once'.<sup>108</sup> Gilbert was highly motivated and highly pragmatic. He conducted a masterly campaign and was rewarded with a reputation for altruism *and* a lucrative political career.

<sup>107</sup> *A Letter to Thomas Gilbert*, 24.

<sup>108</sup> Burn, *Poor Law*, 203.